

The Alger Hiss Case

John Ehrman

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It has been 50 years since Alger Hiss was convicted of perjury for denying that he had been a Soviet spy, but his case continues to fascinate and stir controversy. The reasons for this are not surprising. The case had all the elements of a fine drama: compelling characters, accusations of treason, unusual evidence, the launching of a presidential career, and enough inconsistencies and ambiguities to leave the issue of guilt or innocence in doubt for decades. Indeed, when the Soviet Union collapsed in 1991, one of the first goals of historians was to gain access to Moscow's archives and settle the question. Although no specific file on Hiss has been released from the KGB or GRU archives, enough material has been found in other files—in Moscow, Eastern Europe, and Washington—to enable historians to write several new works that leave almost no room for doubt about Hiss's guilt. These developments also have significant implications for the intelligence professional today.

A Literary Communist Agent

The origin of the Hiss case dates to February 1925, when Whittaker Chambers joined the Communist Party of the United States (CPUSA). Chambers was a curious figure. Born in 1901, he grew up in a troubled family—his father was often absent for long periods while living in homosexual relationships, his grandmother was mad, and his brother Richard was psychologi-

cally disturbed and eventually committed suicide—but Chambers was an intelligent young man with great literary gifts.¹

After a period of drifting, Chambers entered Columbia College in New York, where he did well but dropped out after an uproar following his publication of a profane story in a Columbia literary magazine. During the summer of 1923, he traveled in Europe, where he saw a continent still in turmoil from World War I. Returning to New York that fall, he worked for a year and then reentered Columbia. He dropped out at the end of 1924—this time for good—and, concluding that his family's difficulties, his own troubles, and many of the problems he had seen in the wider world were connected, joined the CPUSA in hopes of building a new world.

For the most of the next seven years, Chambers served the Party as a journalist and literary intellectual. He worked on the *Daily Worker*, the Party's newspaper and, after a brief break with the Party caused by the CPUSA's political infighting, was named editor of *New Masses*, the Party's literary magazine. In 1932, soon after taking over *New Masses*, Chambers was instructed to go “underground,” that is, to become part of the Soviet intelligence network in the United States.

Chambers worked as a courier in New York and, starting in 1934, Washington. He delivered messages and received documents from

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Soviet spies in the government, photographing them or delivering them to Soviet intelligence officers to be photographed, and returning the originals to the agents who would then bring the papers back to their offices before they were missed. He also delivered rolls of microfilmed documents from Washington to Soviet handlers in New York. After several years, however, Chambers began to realize the truth about the Soviet Union and Stalin's regime. By 1937, he was beginning to fear that, like several other American Communists and Soviet agents, he would be called to Moscow and become a victim of the terror. Increasingly troubled, Chambers deserted from Soviet intelligence in April 1938. In 1939, he landed a job at *Time* magazine; by the mid-1940s, his talents as a writer and critic enabled him to rise to the position of foreign editor, where he pushed a strong anti-Communist line.

Fluctuating Interest in Espionage

The transition from spy to editor was not easy for Chambers. He worried constantly about Soviet retaliation against himself and his family. The news in August 1939 of the Nazi-Soviet Pact greatly increased his anxiety, for he now saw a great threat to US security and worried about the possible damage still being done by the spy rings he had worked with. Through an intermediary, Chambers sought an appointment with President Roosevelt to tell him of the USSR's espionage; he was directed instead to Assistant Secretary of State Adolf

Berle, who handled such matters for Roosevelt. On the evening of 2 September 1939, Chambers had dinner at Berle's home and told him all that he knew. Berle wrote a memo recording Chambers's information but did not pass it to the FBI, and Roosevelt himself—far more concerned by the German and Japanese threats—made it clear that he did not want to hear about Soviet espionage. The FBI finally interviewed Chambers in 1942, but still no action resulted.

Priorities changed dramatically after the end of World War II. From June to November 1945, the *Amerasia* case and the defections of Soviet code clerk Igor Gouzenko and Elizabeth Bentley, an American spy for the Soviets, revealed that Moscow had large and active intelligence networks in the United States. The FBI took a new interest in Chambers and interviewed him several times during 1946 and 1947. Then, on 31 July 1948, Bentley testified before the House Un-American Activities Committee (HUAC) regarding Soviet espionage and, the next day, the Committee summoned Chambers to give corroborating testimony. Chambers testified on 3 August and named, among others, Alger Hiss as a Communist. To back up his charge, Chambers claimed to have been a close friend of Hiss during the 1930s and provided detailed

descriptions of Hiss's life and activities.

An Impressive Career

On the surface, Hiss was an unlikely Communist. Born in 1904, he graduated from Johns Hopkins and Harvard Law School and served as a clerk to Supreme Court Justice Oliver Wendell Holmes. Hiss then practiced law in Boston and New York but returned to Washington following the election of Franklin Roosevelt to work in the New Deal. Hiss held a variety of positions and finally settled at the State Department in 1936 as an aide to Assistant Secretary of State Francis B. Sayre, who was former President Woodrow Wilson's son-in-law.

Hiss rose steadily at State. During the war, he was heavily involved in postwar planning and laying the foundations for the UN. In early 1945, he was part of the State Department contingent that traveled to Yalta with President Roosevelt, and that spring he served as Secretary General of the UN organizing conference in San Francisco. Soon after, however, on the basis of Chambers's and Bentley's information, the FBI and State Department security began investigating Hiss; although he was not proven to be a Communist or a spy, enough concerns were raised that Hiss was forced to resign from State in December 1946. Hiss's public reputation remained strong, however, and, with the help of John Foster Dulles, he was appointed head of the Carnegie

Endowment for International Peace, beginning 1 February 1947.

Hiss flatly denied Chambers's HUAC charges. The Committee—spurred by a freshman Representative from California, Richard M. Nixon—frantically checked the two stories. On 17 August 1948, Nixon brought Hiss and Chambers together, and Hiss admitted knowing Chambers slightly during the 1930s, but under the name George Crosley. Hiss still denied ever being a Communist, and challenged Chambers to repeat the charges in public, without the immunity afforded by testimony. Chambers did so on the radio show *Meet the Press*, on 27 September; Hiss filed a slander suit.

The Pumpkin Papers

A dramatic sequence of events followed. On 4 November 1948, as he gave a deposition for the suit, Chambers changed his story and claimed that Hiss not only had been a Communist but also a Soviet spy. For the first time, Chambers produced physical evidence to back up his charge. Before deserting the Soviet cause, he had hidden microfilms, typewritten copies of State Department documents, and notes in Hiss's handwriting that summarized other State documents in an unused dumbwaiter in his wife's nephew's apartment in Brooklyn. On 14 November, Chambers retrieved the package, and two days later he handed the papers to his attorneys (he held onto the microfilms until December, hiding them in a pumpkin at his farm in Maryland; ever since, the entire

collection has been known as the Pumpkin Papers). The papers, notes, and microfilms dated from December 1937 through February 1938; Chambers claimed that they were samples of the materials Hiss had provided for passage to the Soviets and that Hiss's wife, Priscilla, had been the typist.

The papers and microfilms soon were authenticated, and Hiss was indicted for perjury—the statute of limitations for espionage during the 1930s having long expired—on 15 December. The formal charge, based on the Pumpkin Papers, was that he had lied when he told the grand jury that he neither seen Chambers nor passed documents to him in February and March 1938.

Two Trials

The trial began on 1 June 1949. Chambers and his wife testified about their close relationship with the Hisses during the mid-1930s and the working of the spy ring. Other witnesses, including Julian Wadleigh, who had admitted passing documents to Chambers when he was employed by State during the 1930s, provided corroborating testimony. But the star witnesses were the Pumpkin Papers. An FBI analysis showed that they had been typed on the same machine as letters and other papers known to have been typed by the Hisses, thereby appearing to confirm Chambers's story.

The Hiss defense sought to impugn Chambers's credibility. This was not as difficult as it might have seemed: Chambers was an admitted

Communist and spy, had in August denied that Hiss had engaged in espionage, and, as the defense learned, was a troubled man with a record of homosexual activities during the 1920s and 1930s. Moreover, numerous details of his story had turned out to be inaccurate, largely because his memory had become hazy during the decade since his desertion. Nor was Chambers the kind of witness who would win a jury's sympathy, for he was dumpy, unattractive, and had a melancholy air. In contrast, the defense presented the slender, handsome, well-connected Hiss as a model American who would never stoop to treason. Instead, Hiss's lawyers suggested that others at State, including Wadleigh, could have stolen the documents.

The star defense witness was Woodstock typewriter no. 230099, the Hisses' old machine, which had been found by the defense after a frantic search of Washington by both sides. The Hisses claimed to have given it away to their maid, Claudia Catlett, in December 1937, before it was used to type the Pumpkin Papers. Claudia Catlett and her sons testified in support of this claim, but their stories contained inconsistencies that suggested they might not have received the typewriter until the spring of 1938—after the Pumpkin Papers were typed. Nonetheless, the strategy of discrediting Chambers paid off and, despite the Catletts' ambiguous testimony, the jury deadlocked eight to four for conviction on 8 July.

The government announced that it would retry Hiss, and the second

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trial began on 17 November. This time, a different judge allowed each side greater latitude in introducing evidence. The prosecution took advantage of this to present Hede Massing, another Soviet spy in 1930s Washington, who described how Hiss had tried to recruit Noel Field, another Soviet spy at State, to switch from Massing's ring to his own. This testimony, plus additional documentary evidence, led to Hiss's conviction on 21 January 1950. Hiss still claimed to be innocent and, at his sentencing on 25 January, he told the judge that “I am confident that in the future the full facts of how Whittaker Chambers was able to carry out forgery by typewriter will be disclosed.” He appealed his conviction but lost; Hiss served 44 months in Lewisburg Federal Penitentiary and was released in 1954.²

Reverberations

Even with Hiss convicted and in prison, the case was far from over. From the time of Chambers's first testimony to HUAC, the question of whether Alger Hiss had been a Communist and a spy was a dominant news story, not unlike the murder trial of O.J. Simpson two generations later. The stark nature of the case also made it impossible for an observer not to take sides—either Hiss had been a spy or he had not, either he or Chambers had lied, and neither man ever deviated from his claims.

The interest and polarization caused by the case were reinforced by a set of political and cultural factors dating from the

1930s. Indeed, much of the duration and bitterness of the debate about Hiss's guilt was the result of political battles that, even when he was convicted, were almost 20 years old.

Which Side Were You On?

Communism and radical leftism were, in 1930s America, prominent and respectable to an extent that now appears incomprehensible. The Depression, many politically active intellectuals believed, showed that capitalism was collapsing. In contrast, the Soviet Union's apparently successful revolution and industrialization demonstrated the vigor of socialism. Moscow's prestige among liberals and intellectuals increased further when, unlike the Western democracies, it seemed to take a firm stand against the spread of Fascism. Similarly, the CPUSA was well respected by many American liberals, for they and the Party made common cause to promote unions, civil rights for black Americans, and to oppose perceived domestic rightwing threats. Although the CPUSA's prestige suffered greatly when the Party slavishly supported the Nazi-Soviet Pact, liberals and Communists again worked together once the United States and Soviet Union joined forces against Hitler. Indeed, the success of the struggle against Nazism led many liberals to expect that, after the war, Washington and Moscow would maintain friendly relations while the United States

embarked on a fresh round of New Deal-style economic and social reforms.

These hopes went unfulfilled, and instead American liberals descended into a state of civil war. Rather than the anticipated post-war cooperation, US-Soviet relations became increasingly tense. At home, Americans proved to be far more conservative and interested in building quiet, normal lives after 15 years of war and Depression than they were in embarking on new social projects. Faced with the questions of how to deal with Moscow and keep reform alive, liberals divided into two camps. On the left were the Progressives, led by former Vice President Henry Wallace, who viewed Soviet intentions as benign, advocated reaching an accommodation with Moscow, and remained willing to work with American Communists on domestic issues. To their right, but still in the center of the political spectrum, were moderate liberals. They supported President Truman and his policy of containing the Soviet Union, accepted that reform would have to come slowly, and refused to work with Communists, who they believed would try to take over any common efforts and use them to support Moscow. By late 1946, the two groups were engaged in a struggle to control the direction of American liberalism, with each claiming to be the legitimate heir to Franklin Roosevelt and the New Deal.³

By the time of Hiss's conviction, however, Progressivism had collapsed as a serious political force. During the previous two years, a

series of events—the overthrow of the democratic government of Czechoslovakia by Communists loyal to Moscow; the Soviet detonation of an atomic bomb; and Mao Zedong's Communist takeover of China—made the Progressive argument that Moscow did not threaten the United States seem unreal. At the same time, President Truman responded vigorously to the Soviets with the Marshall Plan and the creation of NATO. In November 1948, Truman won a resounding endorsement from the voters while Wallace, running for President on the Progressive ticket, received only 1.1 million popular votes.

Progressives at Bay

In this context, Progressives understandably perceived the Hiss case as only the latest in a series of assaults on their views. They believed that an innocent man had been convicted on the word of a mentally unstable liar and that the case was being used by moderate liberals to further discredit Progressivism. A writer in the moderate liberal magazine *Commentary* declared that the Hiss case showed the need to “move forward from a liberalism of innocence to a liberalism of responsibility.” Hiss's conviction also set the stage for, and seemed to lend credibility to, rightwing charges that New Deal liberalism often had been a cover for treason, and moderate liberals, in turn, used their attacks on Progressives to protect themselves from conservatives' accusations of disloyalty. Philosopher Sidney Hook, for example, wrote of the “illusions of those liberals that there really is no

problem of Communist conspiracy” and how this view aided “reactionaries who... regard the ritualistic liberals as the dupes or accomplices of the Communists.”⁴

Given this background, it is not surprising that Progressives wanted to prove Hiss innocent. They could identify with his plight, for many of them had radical pasts and connections that, with Senator Joseph McCarthy on the prowl, were returning to haunt them. Exonerating Hiss would protect them from persecution and would show that they had not been duped by the Communists. Proving Hiss's innocence also would strike a blow at moderate liberals and give the Progressives a chance to take control of liberalism. Further, Progressives hoped that if Hiss turned out to be an American Dreyfus, his case, like the Frenchman's, would discredit the right and end the careers of politicians like McCarthy and Nixon, whom they viewed as crude Red-baiters.

Two Memoirs

Chambers was the first to publish, with his best-selling memoir *Witness* (1952). *Witness* was far more than a tale of espionage or courtroom drama. Instead, Chambers wrote a detailed autobiography, painstakingly recounting his troubled family background, difficult youth, ideological and spiritual journeys, espionage, and subsequent public confession. *Witness* is a captivating personal document, and the reader comes away with an understanding of the tortured soul of a man who sought a cause with

which to redeem his life but wound up playing the role of a despised informer. It also is a profoundly pessimistic book. According to Chambers, the question is “whether all mankind is to become Communist, whether the whole world is to become free, or whether, in the struggle, civilization as we know it is to be completely destroyed,” and he makes it clear that he is by no means certain that freedom will win. These qualities, and Chambers's genius as a writer, make *Witness* a literary classic. Even after almost 50 years, the timelessness of Chambers's personal struggles is absorbing and makes *Witness* difficult to put down.⁵

Hiss's memoir, *In the Court of Public Opinion* (1957), is a radically different book. Hiss begins his story on 2 August 1948, when he learned that Chambers would name him as a Communist the next day, and then marches through the hearings, investigations, and court cases. It is a dull book, filled with long quotes from HUAC and court transcripts, and Hiss carefully points out the discrepancies and contradictions in his accusers' statements. But *In the Court of Public Opinion* also has an eerie feel. Hiss says almost nothing about himself, his life before 1948, or his plight, and the reader is left wondering how a man who claims to have been the victim of a great injustice could write so bloodlessly about his fate.

In the Court of Public Opinion was significant because Hiss used it to explain his claim of forgery by typewriter, an argument that became the foundation of all later pro-Hiss books. Hiss used

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Chambers's claim that he became disillusioned with Communism in 1937 to assert that Chambers actually broke with the Party that year; he also reiterated his claim to have given the Woodstock to the Catletts in December 1937. Therefore, according to Hiss, the typed Pumpkin Papers were fakes. "The papers could have been typed... from documents later brought from the files of the State Department, at any time before 17 November 1948," he wrote. "Chambers could, without our knowledge, have located the machine and got access to it for the time that would be needed to type 64 pages." Drawing on affidavits filed during his appeal and experts hired by his lawyers, Hiss further claimed that the Woodstock found by the defense was a fake—a typewriter altered to mimic the typefaces of the real Woodstock, used to type the Pumpkin Papers, and subsequently planted for the defense to find.⁶

Neither man brought forth any new evidence, thus leaving readers to react according to their existing beliefs. Sidney Hook reviewed *Witness for The New York Times Book Review* and declared that Chambers's facts were "so overwhelmingly detailed and cumulative... that it is extremely unlikely any reasonable person will remain unconvinced by it." In Hook's view, only someone whose support for Hiss "blinds one to political realities and creates an emotional vested interest in concealing the truth," could doubt Chambers. Similarly, Hook later rejected Hiss's arguments in his review of *In The Court of Public Opinion* by noting the inconsisten-

cies in the forgery claim: if Chambers could gain access to the real Woodstock to type the Pumpkin Papers, why would he forge them on a new machine? If he created the forgeries by working from old typing specimens, how could he be sure that the fake typewriter would be found and that the original would never reappear? Hook also argued that Hiss's defenders backed him on the "tragically mistaken assumption that loyalty to the New Deal demanded it." But the Hiss partisans, too, held to their convictions. In *The Saturday Review's* symposium-style review, one commented that "Mr. Chambers is the author of one of the longest works of fiction of the year... [he] is a pitchman seeking to put across a bill of goods."⁷

The Exculpators

During the 20 years following the publication of Hiss's memoir, three more books appeared that claimed to exonerate him. Two of the books, Fred Cook's *The Unfinished Story of Alger Hiss* (1958) and John Chabot Smith's *Alger Hiss: The True Story* (1976), were written by journalists and built on Hiss's claim of a frame-up. Cook concluded that Wadleigh had given Chambers the originals of the Pumpkin Papers documents, that the Hisses gave their typewriter to the Catletts in

December 1937, and that the fake typewriter was planted with the FBI's help. According to Smith's reconstruction of the crucial points, Chambers routinely had stolen documents simply by walking into the State Department and taking them from poorly guarded offices. Smith further asserted that Chambers had typed the Pumpkin Papers on a Woodstock of his own and that Nixon, HUAC investigators, the FBI, or even Communist agents had later made and planted the fake Woodstock.⁸

Closer looks at these two books show that neither was analytically sound. Although the publishers billed them as objective investigations, Cook's work had been commissioned by the pro-Hiss magazine *The Nation*, and Smith's sympathy for Hiss had been noted by the prosecution when he covered the trials for *The New York Herald Tribune*. Neither author looked critically at Hiss's version of events, and Smith, especially, relied on interviews with Hiss and his supporters. Neither Cook nor Smith discovered any new evidence that supported their assertions. They relied instead on the public records from the HUAC hearings and the trials, and their descriptions of a frame-up were contrived to support Hiss's claims. Smith, in particular, provided no evidence to support his scenario of Chambers strolling unimpeded through State, stealing papers. Indeed, in their quests to prove Hiss innocent, both Cook and Smith produced sterling examples of the human capability to invent "proof" where none exists.⁹

The third and most interesting book defending Hiss was Meyer Zeligs's *Friendship and Fratricide* (1967). Zeligs, a psychoanalyst, sought to answer the question implicitly raised by Hiss's defenders: why did Chambers frame an innocent man? Zeligs conducted extensive interviews with Hiss and associates of the two men (Chambers, who died in 1961, had refused to talk to Zeligs) to build detailed psychobiographies of the antagonists.¹⁰

Zeligs observed that Hiss had an "inordinate need to be a rescuer" of those in trouble but that Chambers's life was "one prolonged span of psychic conflict." Zeligs portrayed Chambers as tormented by his brother's suicide and his own homosexual tendencies, and having a history of making friends before turning on them, as he had with Hiss. "Chambers becomes romantically attached to a friend, then envy and resentment set in, followed by contempt," wrote Zeligs. "He was wont to accept the largesse of colleagues or friends, then ultimately was driven to denounce or betray them... by the shiftings of his guilt-driven, tortured sense of his own being." Thus, Zeligs declared, Chambers's friendship with Hiss "rekindle[d] his fratricidal fantasies, and the gentle personality and attractive physique of Alger Hiss were reminiscent of his brother Richard... Hiss's typewriter caught Chambers's fancy as an object he could put to use." With that as background, Zeligs then made the familiar charge that Chambers either stole Hiss's original Woodstock or used it to make typing samples that guided a later duplication of the machine.¹¹

On the surface, Zeligs's work was impressive. Unlike Cook or Smith, Zeligs collected a wealth of evidence and carefully presented the events of 1948-50 in the context of the two men's lives. He also couched his analysis and conclusions in dispassionate medical language, giving them an air of scientific rigor and authority.

But closer examination reveals that his conclusions were absurd. First, because Zeligs could not interview Chambers—a prerequisite for any psychoanalysis—none of his conclusions regarding Chambers's personality can be considered valid. The second and even more important problem is that he uncovered no new facts about the case itself, basing all his conclusions on the existing record and an uncritical acceptance of Hiss's version of events and claim of forgery. Meyer Schapiro, a noted art historian who had been a friend of Chambers's since their Columbia days, made these points in a scathing review of *Friendship and Fratricide* published in *The New York Review of Books*. He called Zeligs's portrait of Chambers "insensitive and crude" as well as based "largely on conjecture," and noted that Zeligs interpreted every discrepancy in Chambers's story as evidence of lying while blandly ignoring similar problems in Hiss's version. As for the accusation that Chambers had framed Hiss with the Woodstock, Schapiro simply noted that no one ever would have heard of espionage or the typewriter had not Hiss filed the suit that led to Chambers's deposition.¹²

Despite the contradictions and occasional nonsense among these books, the claim that Hiss had been framed gradually gained credibility. Paradoxically, the continuing absence of new evidence helped this process. Those who believed Hiss was guilty had no new material with which to counter the growth of the conspiracy theories. In addition, the events of the period 1965-75, the decade encompassing Zeligs's and Smith's books, also lent credence to conspiracy claims. In view of Vietnam, Watergate, and the CIA and FBI scandals, it no longer was farfetched to believe that Hiss had been framed, particularly given that Richard Nixon had been his main pursuer. Hiss, in fact, used this to advance his cause.

In July 1973, the hitherto anti-Hiss *New York Times* printed an op-ed article in which Hiss argued that Nixon's behavior in his case and as President were similar. Among other deeds, noted Hiss, "a member of the White House 'plumbers,' disclosed that he had been granted access to State Department files and had forged a telegram from President Kennedy purporting to order the assassination of [South Vietnamese President] Diem." Hiss's recasting himself as a Cold War martyr and early victim of Nixon also made him a popular speaker on college campuses during this period. His greatest moment, however, came in August 1975, when he was readmitted to the Massachusetts bar.¹³

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Allen Weinstein

The next person to look at the Hiss case was Allen Weinstein, a professional historian. When Weinstein began his research in 1970, he believed that Hiss had not been a Communist or a spy. Weinstein proved to be a far more thorough researcher than Hiss's previous defenders. He interviewed 80 people who had known Chambers and Hiss, tracked down papers in libraries and archives, traveled to Eastern Europe and Israel to interview former Soviet intelligence officers who had operated with Chambers and, working with the American Civil Liberties Union, filed a Freedom of Information request that eventually yielded 30,000 pages of FBI and CIA files on the case. Hiss also cooperated with Weinstein, granting him six interviews and access to the defense's legal files. After plowing through the data, however, Weinstein did what no previous Hiss defender had done: he changed his mind.¹⁴

Weinstein's findings first came to public attention in April 1976, when he reviewed *Alger Hiss: The True Story* for *The New York Review of Books*. In a contemptuous tone, Weinstein argued that Smith's conspiracy theories were contradictory and silly, and that Smith, who also had been given access to the defense files, “fails to mention... evidence, like so much else in the defense files, that undermines his argument.” Weinstein cited papers from the defense files to outline how Alger and his wife Priscilla had lied to the FBI in December 1948 about how they had disposed of the Woodstock, in an apparent

effort to keep the Bureau from finding the machine. Later, in *Perjury* (1978), Weinstein provided a fully documented history of the case, detailing Chambers's and Hiss's backgrounds, their careers and espionage, the ways the spy rings operated, and the political and legal maneuvering of 1948-50. For example, Weinstein:

- Tracked down in Israel and interviewed Nadya Ulanovskaya, the widow of Alexander Ulanovski, one of Chambers's Soviet handlers during the 1930s. She confirmed large portions of Chambers's account.
- Learned of Noel Field's account. Field had fled the United States in 1949 and settled in Budapest, but he was soon arrested in a Stalinist purge. Before his release in 1954, he was questioned about his work as an agent for Hede Massing. Karel Kaplan, a Czech historian who defected to the West after the Soviet invasion in 1968, told Weinstein that he had read the transcripts of the interrogation and that Field had named Hiss as an agent.
- Found documents in the defense and FBI files indicating that Hiss had given the Woodstock to the Catletts in April 1938 but that the Catletts misled the FBI about the date.

Weinstein also, in an extensive appendix, analyzed the conspiracy theories and showed that no evidence existed to support any of them. In particular, Weinstein noted, the defense files contained numerous documents undermining the forgery theory; he also pointed out the technical difficulty of building a typewriter from scratch—certainly something beyond Chambers's capabilities—and cited expert testimony and court findings, which were also ignored by Hiss's supporters, that pointed out the logical and technical flaws in the forgery theories.¹⁵

A Persuasive Case

Weinstein's conclusions raised a storm of controversy. *The New York Times* ran a front page report of his review of Smith's book, and three weeks later the *Times* also covered the contentious session of the annual meeting of the Organization of American Historians in which Weinstein reported on his research. Hiss called Weinstein's conclusion “foolishness,” and he claimed to have told the historian that “I thought for a long time you've had biased views.”¹⁶

The most vociferous response came from Victor Navasky, editor of *The Nation* and Hiss's leading defender, when *Perjury* was published. Much of Navasky's attack was personal, reflecting the lingering bitterness of the Progressives and the Hiss partisans' sense that Weinstein had betrayed them. “Weinstein has aligned himself with those Cold War intellectuals who presumably sleep better at night in the knowl-

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Hiss continued to insist on his innocence, and his supporters remained committed to his cause.

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edge that there was an internal Communist espionage menace... which might have justified the Cold War repression with which they collaborated,” he wrote. Substantively, Navasky’s main claim was that Weinstein had quoted his interviewees and documents out of context or distorted their words. In one case, Navasky contacted Karel Kaplan, who then denied that Field’s interrogation record indicated that Hiss had been a spy. “Interviewees can always be found to claim they were misquoted,” said Navasky, “but the responses of [several interviewees] suggest that the distortions are too central to Weinstein’s general mode of argument to be ignored, especially in the context of his selective use and misuse of documents not generally available for inspection.”¹⁷

Weinstein fired back in *The New Republic* by pointing out that his interviews were on tape, citing additional documentary evidence to rebut Navasky’s charges, and suggesting that interviewees who recanted their statements did so only when they realized that *Perjury* would not exonerate Hiss. Finally, commented Weinstein, Navasky’s attack, which lacked any hard evidence with which to refute the book, was a “reflection of his and his advisers’ desperate culling of *Perjury* to rip out of context or to distort anything, no matter how trivial, in an attempt to undermine the whole study.” In this, Weinstein was right. When the dust settled, his research, documentation, and common sense carried the day: since *Perjury* appeared, no significant work has repeated the

claim of a frame-up or argued that Hiss was innocent.¹⁸

Archives

For those interested in the Hiss case, the 1980s proved to be a time of waiting. Although *Perjury* made an effective case for Hiss’s guilt, no new evidence surfaced. Thus, neither side was yet in a position to disprove the other’s arguments definitively. For Chambers’s supporters, there were symbolic victories in 1984, when President Reagan awarded him a posthumous Medal of Freedom, and in 1988, when Chambers’s farm—where the Pumpkin Papers had been hidden—was named a national historic landmark. Hiss continued to insist on his innocence, and his supporters remained committed to his cause. The fall of the Communist regimes in Eastern Europe in 1989 and the collapse of the Soviet Union two years later changed the landscape, however. It now became possible to seek access to East Bloc archives and, perhaps, finally to settle the question of who had lied.

Volkogonov, Field, and Venona

Several events during 1992-96 involving Soviet, East European, and US archives bore directly on the Hiss case:

- In May 1992, Hiss wrote to Gen. Dimitri Volkogonov, chairman of Russia’s military archives and a respected historian who had written critically of the Soviet regime, asking him to search for files related to the case. Volkogonov replied in October that his search had found no evidence that Hiss had been a spy and that the accusations were “completely groundless.” Even as Hiss celebrated—“I was sure somehow I would be vindicated,” he declared—Weinstein and other historians questioned the thoroughness of Volkogonov’s search. In November, the general issued a new statement that supported their doubts. His search had covered only KGB files, an important point because Hiss had been accused of working for Soviet military intelligence, and he had not meant for his October statement to be taken as an exoneration of Hiss. “I only looked through what the KGB had,” he said as he explained that he had not checked military or Communist Party files. “All I said was that I saw no evidence.”
- Also in 1992, a Hungarian historian, Maria Schmidt, found the original transcripts of Noel Field’s interrogation by the Hungarian secret police in 1954. Schmidt confirmed Karel Kaplan’s original description of Field’s statements, which corroborated Massing’s testimony by describing how Hiss had tried to recruit him for his own spy ring.
- In October 1996, the CIA and NSA released the Venona files, copies of decrypted Soviet intelli-

gence cables from the 1930s and 1940s. The most famous of the cables, dated 30 March 1945, describes ALES, the covername for an American agent who had been working for Soviet military intelligence since 1935, attended the Yalta conference, and then gone on to Moscow where Soviet Foreign Minister Vyshinsky thanked him for his work. Of the Americans at Yalta who then went to Moscow with Secretary of State Stettinius, only Hiss fits this profile.

- In return for payments from Random House, Allen Weinstein and Alexander Vassiliev, a former KGB officer turned journalist, were granted access to Stalin-era files from the KGB and its predecessors during 1994-96. Among the files they found documents confirming Hede Massing's account of Hiss's attempt to recruit Noel Field and several references to ALES, including one that described him as a "strong, determined man with a firm and resolute character, who is aware that he is a Communist with all the consequences of illegal status."

These documents did not appear in a vacuum. Historians obtained and published large numbers of Soviet documents during the 1990s that, among other things, outlined the close relationship between Moscow and the CPUSA and described the American Party's extensive assistance to Soviet espionage.¹⁹

Hiss's defenders stubbornly tried to rebut each revelation, but eventually they were overwhelmed. In

Volkogonov's case, they emphasized the general's first statement and ignored his retraction. As for Field, the claim was that he had made his statements "under coercive circumstances and conditions of considerable psychological distress" and had simply told his questioners what he thought they wanted to hear. Victor Navasky called the Venona documents "pseudo-evidence," wondered if the code-breakers and translators had gotten all the names right, and declared that NSA's footnote to the 30 March 1945 cable gave no specific evidence to support the identification of ALES as Hiss. But, as these reactions indicate, the denials were less impressive than ever because Hiss's supporters did not directly address the unfavorable evidence.²⁰

Perhaps the saddest example was Navasky's 1997 review of the updated edition of *Perjury*, in which Weinstein had incorporated the new materials. Navasky—by now virtually alone in his rejection of the case against Hiss, who had died in November 1996—repeated his charges from 1978, complained that the publisher's press release omitted any criticism of the first edition of *Perjury*, and dismissed Weinstein as someone who wants to be on "what he regards as the winning side." Finally, however, even *The Nation* had to give in to the obvious. In a review of Weinstein and Vassiliev's book based on their research in the KGB archives, *The Haunted Wood* (1999), historian Ellen Schrecker grudgingly admitted that "the growing accumulation of indirect evidence does seem to indicate that Hiss was up

to something," while Navasky now tries to fudge the issue by saying that "Hiss was innocent of whatever it is people mean by espionage."²¹

Summing It Up

In addition to the updated *Perjury*, two recent books use the newly available evidence to provide new perspectives on the Hiss case. The first is Sam Tanenhaus's biography *Whittaker Chambers* (1997). Tanenhaus is a thorough biographer, and he used interviews, letters and papers, and a variety of archival sources to tell his story. No previous account of the case had done justice to Chambers, but Tanenhaus's research enabled him to present a full portrait of Chambers as an intellectual, husband, father, spy, journalist, and witness—in short, as a complex but understandable human being. Tanenhaus's writing, too, is excellent, and he manages to bring a sense of drama and suspense to a well-worn story. Ironically, too, *Whittaker Chambers* is a reminder that no one has yet written a similarly complete biography of Hiss.

The other recent book touching on Hiss, the aforementioned *The Haunted Wood*, is not as satisfying. To be fair, the authors are not focused on Hiss but instead use the records they found in the KGB archives as well as previously published materials to present an overview of Soviet espionage activity in the United States during the 1930s and 1940s. The value of *The Haunted Wood* is that it shows the range and scope of Soviet activity—

in addition to the penetrations of the State Department, the Soviets recruited a Congressman, the atomic spies, the daughter of the US Ambassador to Nazi Germany, and a small-time Hollywood producer. It also reminds us that Soviet agents had to deal with many of the same problems that intelligence officers must cope with today, including implementing unwelcome instructions from headquarters and dealing with the personal problems of their spies. But *The Haunted Wood* remains a flawed work. Weinstein and Vassiliev tell so many stories, several of which are already well known, that the book sometimes has an unfocused and sensational feel to it and the reader wonders why they seem compelled to go over old ground. Of concern to academics, moreover, is the fact that Weinstein's and Vassiliev's publisher paid for access to the archives—a practice frowned upon by scholars—and were allowed to take notes but not copy documents. Although no reason exists to doubt the accuracy of Weinstein's and Vassiliev's accounts, other researchers would have difficulty confirming their research or building on it.²²

Continuing Relevance

The Hiss case is no mere historical curiosity. Even without weighing the arguments among historians, the case provides perspectives on issues that likely will always be of concern to intelligence professionals. These include the relationship between intelligence and domestic politics, and the question of when it is appropriate to release secret information.

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Anyone who doubts that the Hiss case continues to affect American politics need only ask Anthony Lake, President Clinton's former national security adviser. In November 1996, following the resignation of Director of Central Intelligence (DCI) John Deutch, Clinton nominated Lake to be the new DCI. On 24 November, Lake appeared on *Meet the Press*, where he was interviewed by moderator Tim Russert:

Russert: You're a student of history. Do you believe Alger Hiss was a spy?

Lake: I've read a couple of books that have certainly offered a lot of evidence that he may have been. I don't think it's conclusive.

Conservative senators and pundits already were skeptical of Lake's qualifications, largely because they were critical of Clinton's foreign policies and viewed Lake as one of their key architects, and they quickly claimed that his comment was another indication that he should not be confirmed as DCI. "The Hiss case hits Lake in his blind spot," wrote Jacob Heilbrunn in *The New Republic*. "Lake's view of the world is rooted in moral ambiguity and ambivalence... [his] career-long penchant has been to evade unpleasant realities." Senator Richard Shelby wondered what the comment said about Lake's fitness:

"What is this man's true philosophy? Where is he coming from?" asked Shelby. Lake, under attack by Republican senators on several other issues as well, asked in March 1997 that his nomination be withdrawn; while it would be inaccurate to say that his Hiss remark destroyed his chances for confirmation, the reaction demonstrated the case never has been forgotten and that a chance remark about it still may have serious consequences.²³

Anthony Lake is unlikely to be the last casualty of the Hiss case. With the question of Hiss's guilt settled, the historiographical argument has shifted to new ground—the issue of the legitimacy of the CPUSA. In simplified terms, the central question is this: was the Party a legitimate form of dissent in the tradition of, say, American populism or the civil rights movement, or was it nothing more than the agent of a totalitarian power? Historians and journalists on today's left, the intellectual descendants of the Progressives, argue the former. They acknowledge that many American Communists served as spies for Moscow, but play down the damage that they did and point out that they were motivated, as were the vast majority of CPUSA members who were not spies, by a desire to achieve social justice and fight Fascism. Moderate liberals and conservative historians claim this is nonsense. Instead, they argue, Party leaders willingly placed the CPUSA in Stalin's hands and, therefore, the Party, its members, and all its acts were hopelessly tainted.

The argument is being fought in the major political and intellectual

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journals—including *The New York Times*, *The New York Review of Books*, *The Nation*, and *The New Republic*—and several of the participants, including Sam Tanenhaus, Victor Navasky, Harvey Klehr, and John Earl Haynes, have been involved in the Hiss debates. The argument often has been personal as much as historical, with the participants labeling one another as McCarthyites or dupes. This debate, like the original Hiss controversy, has high stakes. For the left, in particular, vindication of the role of Communism in American life would almost automatically make respectable a host of organizations and movements, such as the nuclear freeze, peace, and antiglobalization groups, now in disrepute. It appears almost inevitable that someday a public figure will make an offhand remark and, like Lake, find himself drawn into this mess as one side tries to use his words to gain a political advantage over the other.²⁴

The history of the Hiss case and the examples of Anthony Lake and the continuing arguments about the Cold War demonstrated that collisions of politics, mythmaking, and intelligence are a recurring phenomenon. Ideally, intelligence informs decisionmaking by providing facts and dispassionate analysis. In reality, however, intelligence is presented and used in a political arena in which a variety of factions and coalitions constantly seek to advance their agendas. Each party views issues from a different perspective, and, during the past 15 years, their struggles have become steadily more vicious. Because of this, intelligence often becomes simply one more political weapon. Lake's *Meet the Press* statement may

have made him appear obtuse, but his opponents never made a convincing case that his uncertainty about Hiss's guilt would have made him a poor DCI. Instead, it was used as part of a larger political attack on the Clinton administration, much as intelligence failures or questions about treaty monitoring capabilities were put to partisan use in previous decades.

Another recent example of the same phenomenon is the reaction to the discovery of alleged Chinese espionage at the Los Alamos and Sandia National Laboratories. Although it is unclear what damage was done or who the spies were, critics of President Clinton's China policies were quick to use it against him, even at the risk of compromising the investigations. Both parties have engaged in this behavior, and it is a routine, and accepted, political tactic in Washington. Intelligence officers, whose job it is to be nonpartisan, can do nothing to stop this and have to learn to live with it.

An Unnecessary Debate

Finally, it is worth noting that the long debate regarding Alger Hiss's guilt or innocence need never have taken place. The single most convincing piece of evidence against Hiss to emerge since 1950 was the ALES cable. The Venona cables

could have been released well before the 1990s, it appears in retrospect, without damaging national security. A Soviet agent within the Army Security Agency, William Weisband, had told Moscow of the Venona decryption program during the late 1940s. The United States learned of Weisband's activities in 1950, by which time the Soviets had closed down or lost many of their US networks. Consequently, it is difficult to see what harm releasing the ALES cable—or, for that matter, cables about the Rosenbergs and the other atomic spies—would have done. Moreover, had the cable been released during the 1950s the conspiracy theories of Cook, Smith, and other Hiss defenders would quickly have been exposed or even prevented from emerging. In this case, at least, success in keeping information secret came at the price of a 40-year debate that contributed to the corrosion of the public's trust in government and faith in the honesty of its intelligence and law enforcement agencies.²⁵

Notes

1. This biographical sketch and the summary of the Hiss case are drawn from Sam Tanenhaus's *Whittaker Chambers* (New York: Random House, 1997).
2. Tanenhaus, *Whittaker Chambers*, p. 435.
3. There is a large body of literature on the postwar conflicts among liberals. Two good accounts are William L. O'Neill, *A Better World* (New York: Simon and Schuster, 1982), and Richard Pells, *The Liberal Mind in a Conservative Age* (New York: Harper & Row, 1985).

4. Leslie Fiedler, "Hiss, Chambers, and the Age of Innocence," *Commentary*, August 1951, p. 119; Sidney Hook, "Heresy, Yes—But Conspiracy, No," *The New York Times Magazine*, 9 July 1950, p. 38.
5. Chambers, *Witness*, p. 7.
6. Alger Hiss, *In the Court of Public Opinion* (New York: Alfred A. Knopf, 1957), p. 275. The Pumpkin Papers had first been authenticated, before the Woodstock appeared, by comparing the typeface with that of documents known to have been typed on the Hisses's machine during the 1930s. During the appeal, Hiss's lawyers hired an expert craftsman to build a typewriter with a typeface identical to Hiss's original Woodstock. After a year of work, he produced a typewriter whose type was a close, but not perfect, match, and which the defense used to support its claim that Woodstock 230099 could have been a fake. See Hiss, pp. 369-375, and Michael Squier, "Typewriter Evidence," *The New York Times Magazine*, 3 February 1952, p. 53.
7. Sidney Hook, "The Faiths of Whitaker Chambers," *The New York Times Book Review*, 25 May 1952, p. 1; Sidney Hook, "A Fateful Chapter of Our Times," *The New York Times Book Review*, 12 May 1957, pp. 1, 28; Charles Wright, "A Long Work of Fiction," *Saturday Review*, 24 May 1952, p. 11.
8. Cook, *The Unfinished Story of Alger Hiss* (New York: William Morrow, 1958), pp. 122, 137, 153-155; John Chabot Smith, *Alger Hiss: The True Story* (New York: Holt, Rinehart, and Winston, 1976), pp. 416, 408-409, 364.
9. "The Hiss Case and the American Conscience," *The Nation*, 21 September 1957, p. 142; Allen Weinstein, *Perjury* (updated version. New York: Random House, 1997), p. 420; Smith, *Alger Hiss*, p. ix.
10. Meyer Zeligs, *Friendship and Fratricide* (New York: Viking, 1967) pp. ix.
11. *Ibid.*, pp. 409, 433, 211, 236, 373.
12. Meyer Schapiro, "Dangerous Acquaintances," *The New York Review of Books*, 23 February 1967, pp. 5, 8, 6.
13. Alger Hiss, "My Six Parallels," *The New York Times*, 23 June 1973, p. 31.
14. Weinstein, *Perjury*, pp. xix-xxiv.
15. Allen Weinstein, "Was Alger Hiss Framed?" *The New York Review of Books*, 1 April 1976, pp. 16, 17-18; Weinstein, *Perjury*, pp. 105-108, 179, 353, 515-532.
16. "Professor Says Alger Hiss Lied About His Links With Chambers," *The New York Times*, 18 March 1976, p. 1.
17. Victor Navasky, "The Case Not Proved Against Alger Hiss," *The Nation*, 8 April 1978, pp. 394, 396, 401.
18. Allen Weinstein, "'Perjury,' Take Three," *The New Republic*, 29 April 1978, pp. 19, 21.
19. "After 40 Years, A Postscript on Hiss: Russian Official Calls Him Innocent," *The New York Times*, 29 October 1992, p. B14; "Russian General Retreats on Hiss," *The New York Times*, 7 December 1992, p. A17; Maria Schmidt, "The Hiss Dossier: A Historian's Report," *The New Republic*, 8 November 1993, *Dialog*; *Venona* 1822, 30 March 1945; Weinstein and Alexander Vassiliev, *The Haunted Wood* (New York: Random House, 1999) pp. 5-8, 268. For the CPUSA's involvement with Soviet spying, see Harvey Klehr, John Haynes, and Fridrikh Firsov, *The Secret World of American Communism* (New Haven: Yale University Press, 1995).
20. Ethan Klingsberg, "Case Closed on Alger Hiss?" *The Nation*, 8 November 1993, *Dialog*.
21. Victor Navasky, "Tales From Decrypts," *The Nation*, 28 October 1996, *Dialog*; Victor Navasky, "Perjury: The Hiss Chambers Case," *The Nation*, 3 November 1997, *dialog*; Ellen Schrecker, "The Spies Who Loved Us?" *The Nation*, 24 May 1999, www.thenation.com; Jacob Weisberg, "Cold War Without End," *The New York Times Magazine*, 28 November 1999, www.nytimes.com/library/magazine/home/19991128mag-weisberg.html.
22. Weinstein and Vassiliev, *The Haunted Wood*, pp. xv-xix.
23. Meet the Press, 24 November 1966 transcript; Jacob Heilbrunn, "The Great Equivocator: Dr. Maybe Heads for the CIA," *The New Republic*, 24 March 1997, *Dialog*; "CIA Nominee Lake Provokes Conservatives' Protest," *New York Times News Service*, 2 February 1997.
24. The new debate regarding the CPUSA is generating a rapidly growing literature. For an overview, see Weisberg, "Cold War Without End." For the benign view of the Party, see Ellen Schrecker, *Many Are the Crimes* (Boston: Little, Brown, 1998); for the other side, see Sam Tanenhaus, "The Red Scare," *The New York Review of Books*, 14 January 1999.
25. For a full discussion of the issue of secrecy, see Daniel Patrick Moynihan, *Secrecy* (New Haven: Yale University Press, 1998).